

VIA FACSIMILE

August 13, 2004

Attn: Refunds Branch

Commissioner for Patents
 P.O. BOX 1450
 Alexandria, VA 22313-1450

RE: Deposit Account No. 501211

Dear Sir or Madam:

The July 2004 Deposit Account Statement for the above-identified Account states that a fee for \$420.00 for USSN: 10/065,277 was charged on July 6, 2004. Please note that the Applicant for this case has claimed a small entity status (copy attached). The Fee Transmittal (copy attached) that was filed with the Response on June 14, 2004, had checked off the appropriate small entity box and had the correct small entity fees. Therefore an overcharge of \$210.00 has been made to our Deposit Account. The undersigned respectfully request a refund of \$210.00. Please credit the overcharge to Deposit Account No. 501211.

Should you have any questions or comments, please do not hesitate to contact me. Thank you for your assistance with this matter.

Very truly yours,

Kurt Rauschenbach, Ph.D.

Adjustment Date: 09/17/2004 EEKUBAY1
 07/06/2004 VBARBER 0000005 501211 10065277
 01 FC:1252 420.00 GR

09/17/2004 EEKUBAY1 0000003 501211 10065277
 01 FC:2252 210.00 DA

BEST AVAILABLE COPY


COPY

 PTO/SB/17 (10-03)
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
 Approved for use through 07/31/2006, OMB 0651-0032

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 300.00)

Complete if Known	
Application Number	10/065,277
Filing Date	9/30/2002
First Named Inventor	Chistyakov
Examiner Name	Rodney G. McDonald
Art Unit	1753
Attorney Docket No.	ZON-001

METHOD OF PAYMENT (check all that apply)
 Check Credit card Money Order Other None

 Deposit Account:

 Deposit Account Number
 Deposit Account Name

501211

Rauschenbach Patent Law Group, LLC

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION
1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1001 770	2001 385			Utility filing fee	
1002 340	2002 170			Design filing fee	
1003 530	2003 265			Plant filing fee	
1004 770	2004 385			Reissue filing fee	
1005 160	2005 80			Provisional filing fee	
SUBTOTAL (1) (\$)			0.00		

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent:	Fee from table below		Fee Paid
			Extra Claims -20" =	10 x 9.00 =	
50	3		10	90.00	90.00
			0	0.00	0.00

Large Entity	Small Entity	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1202 18	2202 9			Claims in excess of 20	
1201 86	2201 43			Independent claims in excess of 3	
1203 290	2203 145			Multiple dependent claim, if not paid	
1204 86	2204 43			** Reissue independent claims over original patent	
1205 18	2205 9			** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)			90.00		

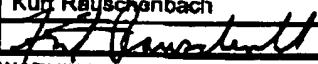
*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	60	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1281	110	2261	55	Extension for reply within first month	
1282	420	2252	210	Extension for reply within second month	210.00
1253	950	2253	475	Extension for reply within third month	
1264	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (time number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(e))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$)			210.00		

(Complete if applicable)

Name (Print/Type)	Kurt Rauschenbach	Registration No. (Attorney/Agent)	40,137	Telephone	781.271.1503
Signature					
				Date	6/14/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PYO-9199 and select option 2.

BEST AVAILABLE COPY

 COPY

PTO/SB/10 (1-08)

Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(t) & 1.27(c))—SMALL BUSINESS CONCERN**

Docket Number (Optional)
ZON-001Applicant, Patentee, or Identifier: Roman ChistyakovApplication or Patent No.: UnassignedFiled or Issued: September 30, 2002Title: High-Power Pulsed Magnetron Sputtering

I hereby state that I am

the owner of the small business concern identified below.
 an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF SMALL BUSINESS CONCERN Zond, Inc.ADDRESS OF SMALL BUSINESS CONCERN 137A High Street, Mansfield, Massachusetts 02048

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

the specification filed herewith with title as listed above.
 the application identified above.
 the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:
 no such person, concern, or organization exists.
 each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Roman ChistyakovTITLE OF PERSON IF OTHER THAN OWNER PresidentADDRESS OF PERSON SIGNING 137A High Street, Mansfield, Massachusetts 02048SIGNATURE Roman Chistyakov DATE 09/27/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

BEST AVAILABLE COPY

08/13/2004 FRI 15:34 FAX 781 271 1527 KURT RAUSCHENBACH

001/004
36 Battle Ridge Road
Bedford, MA 01730
781.271.1503 TEL
781.271.1527 FAX
www.rauschenbach.com

TELECOPY COVER SHEET

ATTORNEYS AT LAW

TO: **Commissioner Of Patents And Trademarks**
Attn: Refunds Branch
TEL:
FAX: **703-308-5077**

FROM: **Kurt Rauschenbach, Ph.D.**
DATE: **August 13, 2004**
RE: **Deposit Account No. 501211**
PAGES: **4 (including this cover sheet)**

COMMENTS:

BEST AVAILABLE COPY

This facsimile is subject to attorney-client privilege and contains confidential information intended only for the person(s) named above. If you have received this facsimile in error, please notify us immediately by telephone and destroy the original transmission without making a copy.